

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
SOUTHWESTERN DIVISION**

United States of America,)
)
Plaintiff,) **DETENTION ORDER**
)
vs.)
)
Morris Flying Horse,) Case No. 1:02-cr-099
)
Defendant.)

On January 31, 2008, the court received a Waiver of Preliminary Hearing and Detention executed by Defendant as well as by defense counsel.

The court finds that Defendant, having had an opportunity to consult with counsel, freely and voluntarily, and knowingly and intelligently waived his right to a detention hearing and a preliminary hearing and consented to be detained pending final disposition of this matter. Further, based upon Defendant's waiver of his right to a preliminary hearing, the court finds that there is probable cause to believe that Defendant may have committed the offense alleged in the petition for action on conditions of supervised release. Accordingly, the court **ORDERS** that Defendant be bound over to the United States District Court to answer to the violations of supervised release alleged in the petition.

The court **GRANTS** the Government's Motion for Detention and **FURTHER ORDERS** that Defendant be committed to the custody of the Attorney General or his designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. Defendant shall be afforded a reasonable opportunity for private consultations with defense counsel. On order of a court of the

United States or on request of an attorney for the government, the person in charge of the corrections facility shall deliver Defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

Dated this 31st day of January, 2008.

/s/ Charles S. Miller, Jr

Charles S. Miller, Jr.
United States Magistrate Judge